

AMENDED IN ASSEMBLY MARCH 23, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 222

Introduced by Assembly Member Achadjian

February 3, 2015

An act to amend Section ~~4150~~ 1808.4 of the Vehicle Code, relating to ~~vehicles~~ vehicle records.

LEGISLATIVE COUNSEL'S DIGEST

AB 222, as amended, Achadjian. ~~Vehicles: vehicle registration.~~
Vehicle records: confidential home address.

Existing law prohibits the disclosure of the home addresses of certain public employees and officials, including an employee of the Department of Corrections and Rehabilitation, Division of Juvenile Facilities or the Prison Industry Authority, that appear in records of the Department of Motor Vehicles, except to a court, a law enforcement agency, an attorney in a civil or criminal action under certain circumstances, and certain other official entities.

This bill would extend that prohibition, subject to those same exceptions, to the disclosure of the home addresses of an employee of the State Department of State Hospitals, as specified.

~~Existing law requires the owner of a vehicle of a type required to be registered under the Vehicle Code to submit an application for the original or renewal registration of that vehicle to the Department of Motor Vehicles upon the appropriate form furnished by the department.~~

~~This bill would make technical, nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 1808.4 of the Vehicle Code is amended*
2 *to read:*

3 1808.4. (a) For all of the following persons, his or her home
4 address that appears in a record of the department is confidential
5 if the person requests the confidentiality of that information:

6 (1) Attorney General.

7 (2) State Public Defender.

8 (3) A Member of the Legislature.

9 (4) A judge or court commissioner.

10 (5) A district attorney.

11 (6) A public defender.

12 (7) An attorney employed by the Department of Justice, the
13 office of the State Public Defender, or a county office of the district
14 attorney or public defender.

15 (8) A city attorney and an attorney who submits verification
16 from his or her public employer that the attorney represents the
17 city in matters that routinely place the attorney in personal contact
18 with persons under investigation for, charged with, or convicted
19 of, committing criminal acts, if that attorney is employed by a city
20 attorney.

21 (9) A nonsworn police dispatcher.

22 (10) A child abuse investigator or social worker, working in
23 child protective services within a social services department.

24 (11) An active or retired peace officer, as defined in Chapter
25 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal
26 Code.

27 (12) An employee of the Department of Corrections and
28 Rehabilitation, Division of Juvenile Facilities, ~~or~~ the Prison
29 Industry Authority, *or the State Department of State Hospitals*
30 specified in Sections ~~20403 and 20403~~, 20405, and 20407 of the
31 Government Code.

32 (13) A nonsworn employee of a city police department, a county
33 sheriff's office, the Department of the California Highway Patrol,
34 a federal, state, or local detention facility, or a local juvenile hall,
35 camp, ranch, or home, who submits agency verification that, in
36 the normal course of his or her employment, he or she controls or
37 supervises inmates or is required to have a prisoner in his or her
38 care or custody.

1 (14) A county counsel assigned to child abuse cases.

2 (15) An investigator employed by the Department of Justice, a
3 county district attorney, or a county public defender.

4 (16) A member of a city council.

5 (17) A member of a board of supervisors.

6 (18) A federal prosecutor, criminal investigator, or National
7 Park Service Ranger working in this state.

8 (19) An active or retired city enforcement officer engaged in
9 the enforcement of the Vehicle Code or municipal parking
10 ordinances.

11 (20) An employee of a trial court.

12 (21) A psychiatric social worker employed by a county.

13 (22) A police or sheriff department employee designated by the
14 ~~Chief of Police~~ *chief of police* of the department or the sheriff of
15 the county as being in a sensitive position. A designation pursuant
16 to this paragraph shall, for purposes of this section, remain in effect
17 for three years subject to additional designations that, for purposes
18 of this section, shall remain in effect for additional three-year
19 periods.

20 (23) A state employee in one of the following classifications:

21 (A) Licensing Registration Examiner, Department of Motor
22 Vehicles.

23 (B) Motor Carrier Specialist 1, Department of the California
24 Highway Patrol.

25 (C) Museum Security Officer and Supervising Museum Security
26 Officer.

27 (D) Licensing Program Analyst, *State* Department of Social
28 Services.

29 (24) (A) The spouse or child of a person listed in paragraphs
30 (1) to (23), inclusive, regardless of the spouse's or child's place
31 of residence.

32 (B) The surviving spouse or child of a peace officer, as defined
33 in Chapter 4.5 (commencing with Section 830) of Title 3 of Part
34 2 of the Penal Code, if the peace officer died in the line of duty.

35 (C) (i) Subparagraphs (A) and (B) shall not apply if the person
36 listed in those subparagraphs was convicted of a crime and is on
37 active parole or probation.

38 (ii) For requests made on or after January 1, 2011, the person
39 requesting confidentiality for their spouse or child listed in
40 subparagraph (A) or (B) shall declare, at the time of the request

1 for confidentiality, whether the spouse or child has been convicted
2 of a crime and is on active parole or probation.

3 (iii) Neither the listed person's employer nor the department
4 shall be required to verify, or be responsible for verifying, that a
5 person listed in subparagraph (A) or (B) was convicted of a crime
6 and is on active parole or probation.

7 (b) The confidential home address of a person listed in
8 subdivision (a) shall not be disclosed, except to any of the
9 following:

10 (1) A court.

11 (2) A law enforcement agency.

12 (3) The State Board of Equalization.

13 (4) An attorney in a civil or criminal action that demonstrates
14 to a court the need for the home address, if the disclosure is made
15 pursuant to a subpoena.

16 (5) A governmental agency to which, under any ~~provision of~~
17 law, information is required to be furnished from records
18 maintained by the department.

19 (c) (1) A record of the department containing a confidential
20 home address shall be open to public inspection, as provided in
21 Section 1808, if the address is completely obliterated or otherwise
22 removed from the record.

23 (2) Following termination of office or employment, a
24 confidential home address shall be withheld from public inspection
25 for three years, unless the termination is the result of conviction
26 of a criminal offense. If the termination or separation is the result
27 of the filing of a criminal complaint, a confidential home address
28 shall be withheld from public inspection during the time in which
29 the terminated individual may file an appeal from termination,
30 while an appeal from termination is ongoing, and until the appeal
31 process is exhausted, after which confidentiality shall be at the
32 discretion of the employing agency if the termination or separation
33 is upheld. Upon reinstatement to an office or employment, the
34 protections of this section are available.

35 (3) With respect to a retired peace officer, his or her home
36 address shall be withheld from public inspection permanently upon
37 request of confidentiality at the time the information would
38 otherwise be opened. The home address of the surviving spouse
39 or child listed in subparagraph (B) of paragraph (24) of subdivision

1 (a) shall be withheld from public inspection for three years
2 following the death of the peace officer.

3 (4) The department shall inform a person who requests a
4 confidential home address what agency the individual whose
5 address was requested is employed by or the court at which the
6 judge or court commissioner presides.

7 (d) A violation of subdivision (a) by the disclosure of the
8 confidential home address of a peace officer, as specified in
9 paragraph (11) of subdivision (a), a nonsworn employee of the
10 city police department or county sheriff's office, or the spouses or
11 children of these persons, including, but not limited to, the
12 surviving spouse or child listed in subparagraph (B) of paragraph
13 (24) of subdivision (a), that results in bodily injury to the peace
14 officer, employee of the city police department or county sheriff's
15 office, or the spouses or children of these persons is a felony.

16 ~~SECTION 1. Section 4150 of the Vehicle Code is amended to~~
17 ~~read:~~

18 ~~4150. Application for the original or renewal registration of a~~
19 ~~vehicle of a type that is required to be registered under this code~~
20 ~~shall be made by the owner to the department upon the appropriate~~
21 ~~form furnished by it and shall contain all of the following~~
22 ~~information:~~

23 ~~(a) The true, full name, business or residence and mailing~~
24 ~~address, and driver's license or identification card number, if any,~~
25 ~~of the owner, and the true, full name and business or residence or~~
26 ~~mailing address of the legal owner, if any.~~

27 ~~(b) The name of the county in which the owner resides.~~

28 ~~(c) A description of the vehicle, including the following data~~
29 ~~insofar as it may exist:~~

30 ~~(1) The make, model, and type of body.~~

31 ~~(2) The vehicle identification number or any other identifying~~
32 ~~number as may be required by the department.~~

33 ~~(3) The date first sold by a manufacturer, remanufacturer, or~~
34 ~~dealer to a consumer.~~

35 ~~(d) Any other information that is reasonably required by the~~
36 ~~department to enable it to determine whether the vehicle is lawfully~~
37 ~~entitled to registration.~~